THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.16920 OF 2005

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Dated: 20-12-2005

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Between

Sri Veerabhadra Swamy Cultural Association, represented by its Proprietor, Sri Bande Goud, S/o. U. Veeranna Goud, R/o. 1-184, Kanekal, Ananthapur District.

PETITIONER

AND

The Superintendent of Police, Ananthapur District, Ananthapur and others.

...RESPONDENTS

ORDER:

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Learned counsel for the petitioner submits that the grievance of the petitioner is that at the instance of the third respondent the second is interfering with his cable network business without any justification whatsoever.

Counter has been filed stating that the third respondent gave a complaint against the petitioner before the second respondent on 23.07.2005 making certain allegations. Based on the said complaint the petitioner was called to the police station. It is further stated that except conducting enquiry in the matter of complaint the second respondent has not taken any action.

This Court is of the opinion that without registering any case against the petitioner, calling him to the police station is without any justification whatsoever. The grievance of the

petitioner appears to be a tenable one and the second respondent is illegally interfering with the civil disputes and business matters without any criminal action being committed by the petitioner.

Having regard to the facts and circumstances of the case,
the second respondent is directed not to call the petitioner to the police station without there being any complaint/report and unless the said complaint/report prima facie discloses that the petitioner has committed a cognizable offence, the police cannot take any action.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

December 20, 2005

DSK